

**KENTUCKY BOARD OF EDUCATION
REGULAR MEETING
DECEMBER 9-10, 2009**

**STATE BOARD ROOM
1ST FLOOR, CAPITAL PLAZA TOWER
FRANKFORT, KENTUCKY**

SUMMARY MINUTES

The Kentucky Board of Education held its regular meeting on December 9-10, 2009, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The Board conducted the following business:

Wednesday, December 9, 2009

CALL TO ORDER

Chair Joe Brothers called the full board meeting to order at 9:00 a.m. and welcomed all in attendance. He asked that everyone remember the meeting was being webcasted and to turn off or mute cell phones. Brothers then asked for the roll to be called.

ROLL CALL

Present for the meeting were C.B. Akins, Kaye Baird, Joe Brothers, Dorie Combs, Jeanne Ferguson, Judy Gibbons, Billy Harper, David Karem, Austin Moss and Robert King. Doug Hubbard joined the meeting in progress later in the afternoon and Brigitte Ramsey was absent.

APPROVAL OF MINUTES

David Karem moved approval of the minutes from the October 7-8, 2009, regular meeting and Kaye Baird seconded the motion. The motion carried.

INTRODUCTION OF NEW KDE EMPLOYEES AND KDE TEAM MEMBERS OF THE MONTH

Commissioner Terry Holliday then introduced the following new department employee:

- Cyndi Willmarth, Child Nutrition Consultant, Office of District Support Services

The commissioner then introduced the following team members of the month:

- Karen Kidwell, Science Consultant, Office of Teaching and Learning – November Team Member of the Month
- Cindy Parker, Language Arts Branch Manager, Office of Teaching and Learning – December Team Member of the Month

REPORT OF THE SECRETARY OF THE EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Acting Secretary Joe Meyer stated that Secretary Helen Mountjoy left a report that can be found in the meeting folders and said she wishes the board well in dealing with the current financial issues. Meyer emphasized that he looks forward to continuing the spirit of collaboration that has been established in working together. He offered an opportunity for questions from board members.

REPORT OF THE PRESIDENT OF THE COUNCIL ON POSTSECONDARY EDUCATION

President Robert King thanked Joe Meyer for his support and help in getting the P-20 Data Warehouse Grant submitted. Dr. King then offered an opportunity for board members to ask questions about his written report. The following questions were raised:

- Joe Brothers asked for a brief overview of the data warehouse. Dr. King responded that a desire exists to track progress of students from the time they enter Kentucky's education system through college using one system. He explained that the warehouse will allow each agency's system to talk to each other and give a longitudinal picture showing what works and what doesn't work.
- Joe Brothers inquired as to whether Kentucky is connecting the dots to get to the 2020 target on four-year degrees. President King replied that the Senate Bill 1 work will help but indicated we are still not doing enough to keep students in college and get them to graduate.

REPORT OF THE EXECUTIVE DIRECTOR OF THE EDUCATION PROFESSIONAL STANDARDS BOARD

Dr. Phil Rogers noted that his report was sent out to board members in November but added that one thing his agency is continually watching is the internship numbers. Rogers said that Kentucky ended up with nine teachers that did not get into the program but reported 80% from last year who did not get into the program are in it this year. Rogers stated that the continuing education option is now more rigorous. He then offered an opportunity for questions and the following came forward:

- David Karem inquired as to why nine individuals did not get into the program. Rogers replied that it was a matter of dollars with these nine being the last in line. He went on to say that a waiver does exist so that an individual with a Rank 3 provisional certificate does get paid, if hired.
- Dorie Combs inquired as to whether there is any consistent support or mentoring for those on provisional certificates. Dr. Rogers replied that the Education Professional Standards Board has charged staff to look at this issue.

REPORT FROM THE PRE-K TO 16 COUNCIL

President Billy Harper said the council had not met since the board's last meeting. Harper noted that Senate Bill 1 and Race to the Top have been a focus of the council's discussions. He reported that the group is looking at how to make the council more efficient and productive.

REPORT OF THE COMMISSIONER OF EDUCATION

Commissioner Terry Holliday stated that he has over 250 followers on Twitter. He went on to say that a very historical meeting occurred this week where almost 100% of superintendents, many school board chairs and many teachers and heads of teacher associations met jointly to hear his plea to support the department's Race to the Top application. Holliday said that department staff have worked extremely hard on this application and that the partnerships with the Education Professional Standards Board and Council on Postsecondary Education are evident in this work.

C.B. Akins then inquired about whether there would be a joint meeting on adopting the new standards.

Commissioner Holliday responded that a joint meeting is scheduled in February between the Education Professional Standards Board, Council on Postsecondary Education and the Kentucky Board of Education to consider adoption of the Common Core Standards. Holliday said the meeting would be in Versailles at the Kentucky Community and Technical College System office and emphasized that Kentucky is positioned to be the first state to adopt these new standards.

GOOD NEWS ITEMS

The following items of good news were highlighted by the noted board members:

- Billy Harper - Hager Preschool in the Owensboro Independent School District has been designated as a Kentucky Early Childhood Center of Excellence. This current award follows the school's recognition last school year as an Early Childhood Center of Quality, the first step in attaining Center of Excellence status.

This designation originated as a response to stakeholder recommendations for

statewide services to deaf/hard of hearing and blind/visually impaired students. The centers that achieve this distinction will serve as models of practice for other districts in the region through on-site consultation, mentoring and presentations at state, regional and national levels.

Congratulations to the staff of Hager Preschool on this outstanding achievement!

- Jeanne Ferguson - Cathy Gutsell of Waggener Traditional High School in Louisville was selected by the Learning Disabilities Association of Kentucky to receive one of its 2009 Beacon of Hope awards. She won the Excellence in Education award.

Tim Woods, Executive Director of the Learning Disabilities Association of Kentucky, said, “Cathy’s got an amazing warmth about her that allows her to empathize with people of all different types. Her humbleness is part of her grace and what makes her a great teacher. Everyone you ask says that she puts others, her students, first.”

Perhaps the greatest praise comes from her students, one of whom said, “Some teachers get frustrated with kids and then it’s really hard for students. Ms. Gutsell isn’t like that. If we get stuck, she just thinks of another example or another way to do it.”

Cathy was selected for the honor due to her success with students who have different learning styles and abilities. Congratulations to Cathy for receiving this outstanding recognition!

- Kaye Baird - Ann Samons of Pikeville High School was recognized by her peers for her professional excellence and named Counselor of the Year by the Kentucky Counseling Association. The Counselor of the Year Award symbolizes recognition of excellence both for accomplishments on the job and for service to the profession as a volunteer leader. Ann has been a counselor at Pikeville High School since 2002. Congratulations to her on being chosen for this outstanding honor!
- Judy Gibbons – Congratulations to Superintendent Tim Hanner of Kenton County for being named Kentucky’s Superintendent of the Year.

PUBLIC COMMENT SEGMENT

Coming forward to make comments to the board was Don Butler, chair of the State Council on Community Education. Mr. Butler made the following comments:

- He represents the fifteen member State Council for Community Education along with the 100 local community education directors. The council is appointed by Executive Order of the Governor.

- Material has been distributed to the board and it is requested that the material be made part of the public record.
- The council understands that these are challenging times in the state as we are facing a considerable budget shortfall.
- The point we are making is that a significant part of support for public education must come from the broader community. Two-thirds of adults do not have children in the public schools. We believe that the community education program serves as a critical link in bringing together the community into support the school system.
- The previous point shows why the funding for community education is so critical and why the letters that have gone to the Governor, legislators and commissioner ask for the continuation of the funding of the \$2.1 million level for next year. The council understands that at the last board meeting there was some discussion on redirecting some dollars but we think it would take legislative action to do so. The council is asking for KRS 160.155 and 160.158 to be maintained.
- In the materials there is a map that shows the community education programs across the state as well as the annual report of the council that summarizes while \$2.1 million was spent on directors' salaries, these directors generated \$9 million in financial contributions to the districts. When volunteer hours are added in, this jumps to \$23 million.

UNIFORM ACADEMIC COURSE CODES

Deputy Commissioner Larry Stinson and Associate Commissioner Felicia Cumings-Smith came forward for this topic. Stinson indicated that the format for this board meeting would involve less presentation and more discussion on the policy issues. He noted that the board is being asked to take action to establish a position on setting course codes for the future. He continued that districts will be asked to use uniform course codes, which became an evident issue when the Office of Education Accountability had a problem in getting data on courses statewide. Stinson stated that staff does recommend they be authorized to work with stakeholders to design a uniform course code system and come back to the February meeting with a first reading on this design. He then asked for questions on this topic.

The following questions and responses were noted during the discussion on uniform academic course codes:

- Question – Will we build the system in a way that districts can design special courses? Response – This is part of why we need stakeholders' input because we want consistency, but do not want to stifle creativity.

- Question – How difficult will this task be given the structure of Infinite Campus? Response – Change always has issues relative to a computer software system but it is doable.
- Question – Is it possible that districts may have their own codes and then have state codes for schools, too? Response – This will just be another point that will have to be dealt with in defining the system.
- Question – How will the P-20 data collaborative interface with this work? Response – It will be possible to correlate, for example, Algebra I scores with teachers and teacher preparation programs; we’re not telling teachers how to teach but instead what has to be taught.

At this point C.B. Akins moved that the board direct the Department of Education to work with the appropriate stakeholders to develop an administrative regulation requiring the use of uniform academic course codes and that the regulation would meet the recommendation by OEA from their math study. Jeanne Ferguson seconded the motion and it carried.

704 KAR 3:303, REQUIRED PROGRAM OF STUDIES

Deputy Commissioner Stinson indicated that this regulation is coming before the board for review this time and is related to the work on the new standards. He noted that the regulation will come back in February for final approval and pointed out that when other subject areas are adopted the regulation will have to be opened up again.

Dorie Combs stated that the Common Core standards will be for language arts and mathematics. She then wanted to know where staff stands on the revision of other subject areas.

Felicia Cumings-Smith responded that staff will start work on the other areas in January.

Commissioner Holliday noted that Senate Bill 1 requires the new mathematics standards be ready by September 15. However, he related that the Senate Bill 1 Steering Committee is aware that the standards are in draft form and will not be finalized until February 10. Holliday shared that the Council of Chief State School Officers will not do social studies and it is still questionable whether they will do science. He commented that staff will have to do the work in these areas and indicated that we’re looking at Massachusetts and other places that have already adopted standards that are fewer in number and higher in expectations.

Judy Gibbons then inquired as to whether the legislators are comfortable with waiting for the adoption of the mathematics standards in February.

Dr. Robert King replied that because of the coincidental work of the Council of Chief State School Officers on national standards, the legislators are comfortable. He said he has not heard any distress from them at this point.

Judy Gibbons continued that if we are out in front doing our own science and social studies standards, she was concerned that we might have to look at them again when national ones come out.

Felicia Cumings-Smith replied that department staff are engaged in national work and actually hope to influence it.

Dr. King added that he felt the larger challenge is not so much in the adoption of standards but in developing an assessment to measure them. He emphasized that this sets up an opportunity to collaborate on development of a national assessment.

At this point Joe Brothers asked for a clarification of what it meant to teach to the test.

Felicia Cumings-Smith indicated that what is actually advocated is to declare what will be assessed.

Dorie Combs continued that getting a copy of a test and teaching how to answer the specific questions is bad, but clarified what is being advocated is to designate concepts that will be tested, which is very different.

Felicia Cumings-Smith stated that clear learning expectations will be provided.

Commissioner Holliday moved on to clarify that teachers will be heavily involved in the review of the new standards. He said that a survey will go out providing the opportunity for all teachers to comment on the standards before they become final. He stated that once the standards are final, an online tool and training to unpack the standards will be available. Holliday noted that the new standards will not become effective until the 2011-12 school year when they will be assessed for the first time.

Dr. King commented that the standards being adopted will define what should be assessed. He said that the longitudinal data system may show places where strategies are more successful or teacher preparation programs are more successful.

704 KAR 3:305, MINIMUM REQUIREMENTS FOR HIGH SCHOOL GRADUATION

Deputy Commissioner Stinson pointed out that if the board adopts 704 KAR 3:303, it must also change the language in the minimum requirements for high school graduation regulation to match.

C.B. Akins inquired as to understanding the language on page 38 of the Agenda Book where it talks about requiring three credits in mathematics and then states that math must be taken every year. He felt the wording sends a mixed message.

Division Director Michael Miller clarified that one mathematics course is an elective with the other three being standard courses that everyone must take.

Commissioner Holliday emphasized that if the board and others are confused, then counselors may also be confused about the mathematics credits. Holliday continued that a purpose for the fourth mathematics course could be that if a student does not meet the math cut-off score, then the fourth course should be focused on the student's needs to be able to move on to postsecondary successfully.

Felicia Cumings-Smith indicated that staff would clarify this language and clean it up before it comes back for final approval in February.

Next, Commissioner Holliday then raised the issue of where foreign language was in the graduation requirements.

Dorie Combs responded that it is part of the pre-college curriculum but said the board could not put it in the graduation requirements previously due to teacher shortages. She added that we also need to start teaching foreign language in elementary school in order to have higher quality high school foreign language courses.

Dr. Phil Rogers stated that when the state board sets a requirement, it becomes a precedent. He gave the example of requiring librarians, which took about two years for the universities to retool and produce the supply. He felt that if foreign language was made a requirement, it would take time to get there with the number of teachers that would be needed, but indicated it would happen.

Felicia Cumings-Smith added that virtual learning could be another route through which foreign language could be offered.

Commissioner Holliday asked for staff to review how many graduate with two years of foreign language and what is now occurring in that field in Kentucky schools. He indicated that foreign language would be an agenda item added to the Governor's Task Force that will be reviewing the Kentucky education system.

END-OF-COURSE (EOC) AND SUMMATIVE ASSESSMENTS FOR HIGH SCHOOL

Deputy Commissioner Larry Stinson and Associate Commissioner Ken Draut came forward for this discussion. Stinson clarified that staff is again asking the board to give the department direction this time on the issue where Senate Bill 1 provided an opportunity to use end-of-course assessments. He said that staff is recommending to go

this route for the high school level. He noted that it would not be for all courses but that staff needs to know if this is the direction the board wants the department to pursue.

Austin Moss then asked how different this would be from a final course exam.

Dr. Stinson responded that it could be used for that but noted it could provide a standard exam across the state.

Judy Gibbons said she felt this is an excellent idea, but emphasized she is concerned that funding is an issue.

Dr. Stinson stated that Senate Bill 1 did not allocate any funding for this purpose but commented there are opportunities to look at what other states are doing or incorporating pre-existing materials.

Ken Draut added that staff did build in some dollars in the budget request, whether it be for a regular test at the high school level or end-of-course assessments.

C.B. Akins inquired about the purpose of end-of-course exams if semester grades show passing.

Dr. Stinson responded for the state the end-of-course exams would be the summative test. He said that it has also been talked about to give schools formative tools.

Ken Draut continued that he and his staff have talked to several states using end-of-course assessments and learned they are used locally in different ways as well as being the state summative test.

Dr. Holliday commented that he worked in a state that did end-of-course exams in 1993-94 where five end-of-course exams were required for a diploma. He felt that Kentucky could work with ACHIEVE on this project. Holliday said that it always bothered him that if a student passed the Algebra II end-of-course exam why the university would not take that score in lieu of its placement test. He felt that this would increase student motivation and would meet the intent of Senate Bill 1. At this point, Dorie Combs moved that the board direct the Department of Education to use end-of-course assessments for Kentucky's high school assessment program to fulfill Senate Bill 1 goals. Kaye Baird seconded the motion.

Dr. Phil Rogers said that there are two things that he likes about this approach. First, he said for students taking a placement test, this would provide consistency in the placement test. Second, he noted that this will give feedback to the quality performance index in determining the quality of preparation for teachers at the various institutions.

Dr. Holliday agreed that it should be the same test for college placement.

The question was called and the motion carried.

HEARING OFFICER'S REPORT

General Counsel Kevin Brown reported that all of the board's regulations heard at the November 10 Administrative Regulation Review Subcommittee meeting were approved.

PRESENTATION OF THE JOSEPH W. KELLY AND KEVIN M. NOLAND AWARDS

The board then moved on to making two award presentations. First, the Joseph W. Kelly Award was presented to Bob Hudson, CEO at Patty A. Clay Regional Medical Center in Richmond. Mr. Hudson was responsible for forming a visionary partnership with the Madison County School District that resulted in the implementation of the PE4Life curriculum in the local schools and opening of LearnWell Clinics at both high schools.

The second award was established to honor Kevin M. Noland and was presented to Linda Holbrook, a reading first coordinator with the Office of Teaching and Learning, Division of Curriculum Development. Ms. Holbrook was chosen because under her leadership as the reading first coordinator, schools that were identified as the lowest performing in the state had made great strides in increasing the number of students reading at the proficient level and reducing the number of at risk students in reading.

Both Joseph Kelly and Kevin Noland were present for the award presentations.

TEACHER AND PRINCIPAL WORKING CONDITIONS SURVEY

Commissioner Holliday indicated that he had worked with Ann Maddock, who is now with the National Center for Teaching Quality, when she was the Teacher Advisor to the Governor in North Carolina. He said he was excited about the possibility of bringing the concepts she will present to Kentucky and asked Dr. Maddock to come forward.

Ms. Maddock used a PowerPoint presentation to talk about teaching conditions and teacher retention, teaching conditions and student learning, the use of the new teacher center and the teacher and learning conditions survey. She talked about the different states that have used the survey and how the states use the data. Ms. Maddock addressed the subject of how the data from these surveys can be used to inform and influence both state and national policies.

Dorie Combs asked what the next steps would be after Ms. Maddock's presentation.

Commissioner Holliday said that the survey presented by Ann Maddock is one example of the type of instrument that could be used to look at teacher and principal working conditions. He noted that Kentucky would have to do an RFP and go through the procurement process in order to secure a company to do a similar type of data gathering instrument. Commissioner Holliday did note that the Governor is supportive of this kind

of approach. He went on to say that he thought one piece of missing information relates to working conditions and leadership in the school. Holliday said that information is needed about leadership and the effect of school councils. He felt that data in this area would be helpful when the department has to make a decision on when to intervene in a school.

Dr. Phil Rogers said that such a survey was one of the goals that the Education Professional Standards Board pursued for a number of years, but explained that a lack of dollars prevented the implementation of this activity. He felt this kind of instrument would help in the placement of student teachers and interns because it is not fair to place them in a school with serious working condition problems. Rogers also commented that superintendents can use this kind of data to change schools.

***CERTIFIED PERSONNEL EVALUATION: STATEWIDE COHESIVE
IMPROVEMENT EVALUATION SYSTEM FOR TEACHERS, PRINCIPALS AND
SUPERINTENDENTS***

Deputy Commissioner Larry Stinson said that the evaluation system is one of the factors included in the working conditions of a school as well as student achievement and differentiated compensation. He indicated the department is recommending revamping the system and having a consistent statewide system. Stinson said that some options for individual district creativity and flexibility would always be allowed but pointed out there would be some standard components. He noted that the department is proposing a growth model that would be implemented throughout the year.

Judy Gibbons asked how this proposal is seen by teachers and administrators.

Larry Stinson said that teachers and administrators will have the opportunity to provide input into design of the system and that at first some pushback may exist. However, he felt that once discussion takes place, there is room for coming to an agreement.

Commissioner Holliday added that it would take about a year to pull stakeholders to the table, with the Education Professional Standards Board as the lead, and then a pilot would occur in year two. Actual implementation, Holliday explained, would occur in year three.

Deputy Commissioner Stinson clarified that it is not just a teacher evaluation system, but also principals and administrators in order to make it a comprehensive system. He said the approach is more of an assessment and how a person can be assisted to grow and become a better educator.

Dorie Combs stated that she thought teachers will rally around this concept if they know what they are going to be evaluated on and if their professional development plan is tied to it.

At this point, David Karem moved that the board endorse the Kentucky Department of Education's effort to develop a statewide common evaluation system that will link teacher and administrator effectiveness to student achievement, working conditions and differentiated compensation. Judy Gibbons seconded the motion and it carried.

ANNOUNCEMENTS

Chair Brothers announced the following items:

- The Curriculum, Instruction and Assessment (CIA) Committee meeting will convene next in the state board room.
- Following the CIA committee meeting, the Management Committee meeting will convene. Upon completion of their meeting, the board will be in recess until tomorrow.
- Tonight the board will have a group dinner at the Capital Plaza Hotel at 6:30 p.m. in the Seminar Room. No business will be conducted at this dinner.
- Tomorrow morning at 9:00 a.m., the full board meeting will reconvene in the state board room.

CURRICULUM, INSTRUCTION AND ASSESSMENT COMMITTEE MEETING

Information Items

1. **Annual Report of the Kentucky Educational Collaborative for State Agency Children (KECSAC).** KECSAC Director Ronnie Nolan was present to answer questions about the written report that was found on page 53 of the Agenda Book. Dorie Combs asked how the budget cuts would affect the KECSAC program.

Mr. Nolan replied as follows:

- KECSAC is in the process of doing an impact statement relative to the budget cuts.
- KECSAC has an action plan for alternative education, part of which is a pre- and post-assessment to determine how students are doing while they are in the program. Students in the KECSAC program have the largest gap among subpopulations. Eighty percent of the students are at least four grade levels behind when they enter the program. The pre- and post-test would be one item in question if cuts occur.
- Other items that may be affected are professional development, travel and on-site technical assistance.

Board member Judy Gibbons then asked about the reference to Achieve 3000 on page 66 of the Agenda Book and wanted to know if KECSAC is cutting back to five sites of implementation.

Mr. Nolan explained that Achieve 3000 is an online program and said that KECSAC did not have the dollars to do all ten site implementations and determined the five currently using the system the most would be continued.

Ms. Gibbons continued by asking the status for location codes.

Mr. Nolan replied that almost all locations now have a location code.

MANAGEMENT COMMITTEE MEETING

Information Items

1. **KHSAA Annual Reporting Requirements as Found in 702 KAR 7:065.** Prior to discussing the item, Chair Doug Hubbard said that it was a privilege to work on the Sports Safety Group directed by KHSAA and thanked them for the products that came out of this work. KHSAA Commissioner Brigid DeVries then noted that 9,000 individuals have taken the online safety course related to the work of the Sports Safety Group. She also said that the regulation changes were approved by the various subcommittees at LRC and that the membership and Board of Control will review whether any additional changes are needed for next year. DeVries pointed out that the financial information is attached to the material that KHSAA sent to the board and can be found on pages 191-201 of the Agenda Book.
2. **Kentucky High School Athletic Association (KHSAA) Title IX Update of Phase 2 of the 2009-2010 KHSAA Audit Visit Schedule.** Commissioner DeVries reminded the committee that KHSAA was asked by the state board to put things in place relative to Title IX requirements. She noted that 35-40 revisits are done per year with districts and said a summary of deficiencies is produced, which the board can find in its agenda book along with an updated status on the deficiencies. DeVries said that some of these are fixable immediately and others take time to correct.

Several board members emphasized that they do want follow-up on these deficiencies and do want them corrected in a reasonable amount of time.

Action/Consent Items

1. **District Facility Plan: Jenkins Independent School District and 2. District Facility Plan Amendments: Graves and Mercer Counties and Newport Independent School Districts.** After a brief discussion, Kaye Baird moved approval of all submitted facility plans and facility plan amendments. Austin Moss seconded the motion and it carried.

3. **2009-2010 Local District Tax Rates Levied.** Acting Associate Commissioner Kay Kennedy indicated that the submitted tax rates have been reviewed and approved by staff. She indicated staff is recommending approval of all of these and noted that in February the board will still have five to consider. Austin Moss then moved approval of all submitted tax rates levied and C.B. Akins seconded the motion. The motion carried.

Action/Discussion Items

1. **702 KAR 6:100, Appeal Procedures for Nutrition and Health Services Programs (Final).** Acting Associate Commissioner Kay Kennedy and Acting Division Director Denise Hagan came forward for this agenda item. Denise Hagan said that the regulation was revised to assure that hearings are fair and impartial and that the department cannot withhold funds until that process is over. C.B. Akins moved final approval of 702 KAR 6:100 and Kaye Baird seconded the motion. The motion carried.
2. **School Facilities Construction – Facility Unmet Needs Report.** Acting Associate Commissioner Kay Kennedy reported that biennially the department must supply to the School Facilities Construction Commission the unmet need and stated that staff is recommending that the board concur with the report to the SFCC. C.B. Akins moved approval of the item and Kaye Baird seconded the motion. The motion carried.

Review Items

1. **702 KAR 3:030, Insurance Requirements.** Deputy Commissioner Larry Stinson conveyed that the revised regulation in front of the board today is a more simplified version than was seen two months ago. He noted that on page 185, line 20, the words “replacement cost” are to be added between the words “certified” and “appraisal” to provide clarity. Additionally, Stinson said that on page 186, lines 7-10, staff is still researching these minimum sub-limits and will bring back a final recommendation in February. He also pointed out that on page 186, lines 20-22, the changes as they appeared two months ago are still included. Stinson said that the Local Superintendents Advisory Council is supportive of the regulation with the current wording.

Chair Doug Hubbard indicated that presently there is a methodology to determine what amount is required for insurance based on replacement costs as designated by the Kentucky Department of Education. He felt that the wording change would give school districts the opportunity to get a certified replacement cost appraisal to use instead of the department’s figure. Hubbard emphasized he is opposed to turning over this responsibility to an outside person where there would be no control. He believed that it could present numbers far less than the department’s figures and thus result in a risk exposure to school districts.

Austin Moss inquired if the Local Superintendents Advisory Council raised the same concern.

Deputy Commissioner Stinson replied that this particular concern was not raised by that body but said the point will be discussed with the department's Office of Legal Services.

Thursday, December 10, 2009

SHIFTING PRIORITIES IN STATE SPENDING

David Adkisson, President and CEO of the Kentucky Chamber of Commerce, appeared before the board and presented a PowerPoint titled "The Leaky Bucket". The PowerPoint focused on three areas of state spending (health benefits, Medicaid and corrections) that are growing faster than the state budget or economy. Mr. Adkisson said that he would be focusing on the leaks because the public cannot have confidence until these are plugged. He emphasized that if it was in the private sector these would be plugged.

Comments from the board included the following:

- The expense of prisons and incarcerations gives a reason to make an investment in preschool as a prevention.
- The business community was asked to review the employment of ex-felons.
- The items in the PowerPoint could bring great savings to government but nobody wants to discuss these.
- Pressure needs to be kept on the healthcare industry to reduce costs.
- Classified workers in state government often work for the benefits but do not make the \$38,000 salary that is quoted in the PowerPoint. The percentage of people with college degrees needs to be considered in state employment salary data.
- Unless we put more dollars in education today, individuals will continue to gravitate to corrections and increase healthcare costs.

703 KAR 5:060, INTERIM ASSESSMENT PROCESS (FINAL)

Deputy Commissioner Larry Stinson and Associate Commissioner Ken Draut came forward for this item. Stinson said that since the board saw this regulation the last time, a change has been made to implement the AFGR earlier. Additionally, he noted some other changes that were summarized on a handout that was provided to the board.

Chair Joe Brothers asked if the targets for graduation rates set by this regulation are reasonable.

Commissioner Holliday said that Kentucky will have to make the graduation rate a priority. He said he believed the targets are reasonable but bold. Holliday indicated he wants to make this the board's number one goal when it sets its goals and priorities in May.

At this point Doug Hubbard moved final approval of 703 KAR 5:060 to include the most recent changes summarized on the handout and Dorie Combs seconded the motion.

Dorie Combs emphasized that the issue with the graduation rate is not just getting students to graduate, but to graduate within four years.

The question was called and the motion carried.

KENTUCKY BOARD OF EDUCATION 2010 LEGISLATIVE AGENDA

Deputy Commissioner Ruth Webb and Legislative Liaison Frank Rasche came forward for this item. Ms. Webb reminded the board that this would be a 60-day session beginning January 5. She handed out the legislative calendar to board members.

Next, Frank Rasche proceeded to go through the legislative agenda.

Dorie Combs conveyed that as the compulsory attendance legislation develops, she desires the department to do what it can to come up with strategies for truants other than going to jail and felt that some way is needed to involve their parents. Additionally, Combs stated that she felt adding chronic low achievement to the cause for removal of a superintendent or board member was not a solution to the problem. She felt that new measures to support school improvement should be pursued rather than punishments.

Doug Hubbard commented that he felt like the chronic low achievement item related to getting back to responsibility.

Ms. Combs replied that she agreed that superintendents are responsible but she just did not see this as useful legislation.

Austin Moss indicated he supported the piece of legislation.

Judy Gibbons commented that she agreed with Dorie Combs and said this is not the time to pursue this item.

C.B. Akins added that his bottom line is how the legislation would benefit students. He said that the question is if it will enhance the overall the agenda the commissioner is trying to move forward.

Joe Brothers said he wanted to ask the commissioner if the piece of legislation would remove barriers and help students to be career and college ready.

Commissioner Holliday said it would help to remove barriers but stated that the department intends to work with school board chairs and superintendents on the evaluation instrument to document performance, which is a beginning of what is needed. However, Holliday noted that over the next year, more issues of this nature will be brought to the board.

At this point Dorie Combs moved to take the last item on the legislative agenda relative to adding chronic low performance as the basis for removal of a superintendent and board member off of the legislative agenda at this time. Judy Gibbons seconded the motion.

The motion was defeated with Dorie Combs and Judy Gibbons voting yes and the rest of the board voting no.

Then, Doug Hubbard moved adoption of the legislative agenda as presented and Jeanne Ferguson seconded the motion. The motion carried.

APPROVAL OF ACTION/CONSENT AGENDA ITEMS

Doug Hubbard moved approval of all action/consent items including the district facility plan for Jenkins Independent, district facility plan amendments for Graves and Mercer Counties and Newport Independent and the 2009-2010 local district tax rates levied. David Karem seconded the motion and it carried.

REPORT OF THE MANAGEMENT COMMITTEE ON ACTION/DISCUSSION ITEMS

Chair Doug Hubbard moved on behalf of the Management Committee final approval of 702 KAR 6:100 and the School Facilities Construction Unmet Needs Report. The board concurred with the motion.

BOARD MEMBER SHARING

The following items were shared by the noted board members:

- Doug Hubbard – The issues of Infinite Campus difficulties with uploading grades and insurance cost recovery from the ice storm need to be pursued.
- Judy Gibbons – Ms. Gibbons reported on the work of the Northern Kentucky advocacy group.
- Kaye Baird – Baird gave a report from the NASBE business meeting at the October national conference.

- Dorie Combs – Ms. Combs referenced a handout at each member’s place on linking policy and data from the NASBE conference. She also reported that she is working with a group in the Richmond area to develop a regional dropout summit.
- Austin Moss – Mr. Moss reported that the Christian County Education Coalition will be holding its third annual education summit on January 16 and said he would send information on the summit to Mary Ann Miller for forwarding to the board.
- Joe Brothers – Mr. Brothers reported that Jeanne Ferguson, David Karem and he visited Olmstead North and South recently and observed improvements at those schools. He did note that one policy issue that exists is the lost dollar support when the schools were reconfigured into new schools.

INTERNAL BOARD BUSINESS

The following items were discussed during this agenda item:

- Mary Ann Miller gave proposals for cost cutting measures for the board during the upcoming six months and these were approved by consensus.
- C.B. Akins, Dorie Combs and Joe Brothers were approved to attend study groups sponsored by NASBE in January, March and June of 2010 that will be funded either by the board member or from outside sources. Austin Moss was approved to continue attending the NASBE board meetings in January, March and June of 2010 through department funding unless NASBE can underwrite the trips.
- Joe Brothers and C.B. Akins were approved to attend the January 11-12 NASBE regional meeting along with Dr. Holliday or Felicia Cumings-Smith.
- David Karem moved to expand the audit committee work to include budget beginning next year and Judy Gibbons seconded the motion. The motion carried.

ADJOURNMENT

The board meeting was adjourned upon a motion by Kaye Baird and a second by David Karem. The motion carried.

